

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MONIKA R. MOORE,)
)
Plaintiff,)
)
vs.) Case No. 4:23-cv-00593-MTS
)
NATIONAL VISION, INC.,)
)
Defendant.)

MEMORANDUM AND ORDER

This matter is before the Court on the parties' Joint Motion to Lift Stay and for Approval of Settlement, Doc. [9], and on the Joint Motion for Leave to File Under Seal, Doc. [11]. First, on the sealing issue, the parties have complied with Local Rule 13.05, including by filing a largely unredacted version of the document for the public file, and no one has filed an objection to the Motion for Leave to File Under Seal, see E.D. Mo. L.R. 13.05(A)(4)(d). With that in mind, and when weighing the relevant benefits and harms, the Court concludes that sealing the settlement amount is appropriate in this case. *See Williams v. BPV Mkt. Place Invs., LLC*, 4:14-cv-1047-CAS, 2014 WL 5017934, at *2 (E.D. Mo. Oct. 7, 2014).

Now, to the settlement itself. Though it is unsettled whether federal law requires judicial approval of all settlements under the Fair Labor Standards Act, see *Barbee v. Big River Steel, LLC*, 927 F.3d 1024, 1026–27 (8th Cir. 2019), the Court will review the settlement at the parties' request so as to not leave them in an "uncertain position," Doc. [10] at 2 n.1. *See, e.g., Tanner v. Empire Financing, Co.*, 4:19-cv-0825-SEP, 2020 WL 7316115, at *1 (E.D. Mo. Dec. 11, 2020); *Van Winkle v. Mick Keane's Express Delivery Serv., Inc.*, 4:21-cv-1213-NCC, 2022 WL 1122721, at *1 (E.D. Mo. Apr. 14, 2022). After examining the settlement agreement and the

parties' filings, the Court concludes that the litigation involves a bona fide dispute and the settlement the parties propose is fair and equitable to each side. *Tanner*, 2020 WL 7316115 at *1–2; *see also Williams*, 2014 WL 5017934, at *2. Thus, the Court will approve the parties' joint proposed settlement.

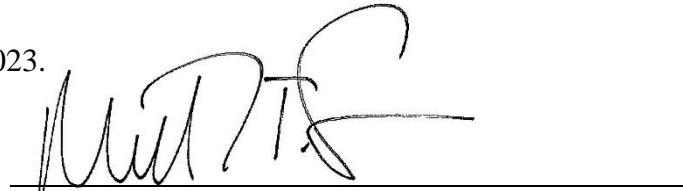
Accordingly,

IT IS HEREBY ORDERED that the parties' Joint Motion to Lift Stay and for Approval of Settlement, Doc. [9], is **GRANTED**.

IT IS FURTHER ORDERED that the Joint Motion for Leave to File Under Seal, Doc. [11], is **GRANTED**.

IT IS FINALLY ORDERED that the parties shall file appropriate dismissal papers in this action no later than **October 20, 2023**.

Dated this 22nd day of September 2023.



MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE